

Senate Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

CHAPTER 296

# **SENATE BILL 1354**

AN ACT

AMENDING SECTIONS 13-301 AND 13-303, ARIZONA REVISED STATUTES; RELATING TO  
ACCOMPLICE LIABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-301, Arizona Revised Statutes, is amended to  
3 read:

4 13-301. Definition

5 In this title, unless the context otherwise requires, "accomplice"  
6 means a person, other than a peace officer acting in his official capacity  
7 within the scope of his authority and in the line of duty, who with the  
8 intent to promote or facilitate the commission of an offense:

9 1. Solicits or commands another person to commit the offense; or

10 2. Aids, counsels, agrees to aid or attempts to aid another person in  
11 planning or committing the AN offense.

12 3. Provides means or opportunity to another person to commit the  
13 offense.

14 Sec. 2. Section 13-303, Arizona Revised Statutes, is amended to read:

15 13-303. Criminal liability based upon conduct of another

16 A. A person is criminally accountable for the conduct of another if:

17 1. The person is made accountable for such conduct by the statute  
18 defining the offense; or

19 2. Acting with the culpable mental state sufficient for the commission  
20 of the offense, such person causes another person, whether or not such other  
21 person is capable of forming the culpable mental state, to engage in such  
22 conduct; or

23 3. The person is an accomplice of such other person in the commission  
24 of an offense INCLUDING ANY OFFENSE THAT IS A NATURAL AND PROBABLE OR  
25 REASONABLY FORESEEABLE CONSEQUENCE OF THE OFFENSE FOR WHICH THE PERSON WAS AN  
26 ACCOMPLICE.

27 B. If causing a particular result is an element of an offense, a  
28 person who acts with the kind of culpability with respect to the result that  
29 is sufficient for the commission of the offense is guilty of that offense if:

30 1. The person solicits or commands another person to engage in the  
31 conduct causing such result; or

32 2. The person aids, counsels, agrees to aid or attempts to aid another  
33 person in planning or engaging in the conduct causing such result.

APPROVED BY THE GOVERNOR JUNE 27, 2008.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 27, 2008.